

all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 2, 2017: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate on May 23, 2017: Yeas 30, Nays 1.

Approved June 15, 2017.

Effective June 15, 2017.

**WORKERS' COMPENSATION INSURANCE COVERAGE FOR  
CERTAIN INTRASTATE FIRE MUTUAL AID SYSTEM TEAM  
MEMBERS AND REGIONAL INCIDENT MANAGEMENT TEAM  
MEMBERS**

**CHAPTER 991**

H.B. No. 919

**AN ACT**

**relating to workers' compensation insurance coverage for certain intrastate fire mutual aid system team members and regional incident management team members.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter B, Chapter 88, Education Code, is amended by adding Section 88.126 to read as follows:

**Sec. 88.126. WORKERS' COMPENSATION INSURANCE COVERAGE: INTRASTATE FIRE MUTUAL AID SYSTEM AND REGIONAL INCIDENT MANAGEMENT TEAMS.** (a) *In this section:*

(1) "Intrastate fire mutual aid system team" means an intrastate fire mutual aid system team established under the state emergency management plan under Section 418.042, Government Code, or the statewide mutual aid program for fire emergencies under Section 418.110, Government Code, and coordinated by the Texas A&M Forest Service to assist the state with fire suppression and all-hazard emergency response activities before and following a natural or man-made disaster.

(2) "Local government employee member" means a member employed by a local government, as defined by Section 102.001, Civil Practice and Remedies Code.

(3) "Member" means an individual, other than an employee of The Texas A&M University System, who has been officially designated as a member of an intrastate fire mutual aid system team or a regional incident management team.

(4) "Nongovernment member" means a member who is not a state employee member, a local government employee member, or an employee of The Texas A&M University System.

(5) "Regional incident management team" means a regional incident management team established under Section 88.122 or under the state emergency management plan under Section 418.042, Government Code, and coordinated by the Texas A&M Forest Service to assist the state with managing incident response activities before and following a natural or man-made disaster.

(6) "State employee member" means a member employed by an agency of the state other than a component of The Texas A&M University System.

(b) Notwithstanding any other law, during any period in which an intrastate fire mutual aid system team or a regional incident management team is activated by the Texas Division of Emergency Management, or during any training session sponsored or sanctioned by the Texas Division of Emergency Management for an intrastate fire mutual aid system team or a regional incident management team, a participating nongovernment

member or local government employee member is included in the coverage provided under Chapter 501, Labor Code, in the same manner as an employee, as defined by Section 501.001, Labor Code.

(c) Service with an intrastate fire mutual aid system team or a regional incident management team by a state employee member who is activated is considered to be in the course and scope of the employee's regular employment with the state.

(d) Service with an intrastate fire mutual aid system team or a regional incident management team by an employee of The Texas A&M University System is considered to be in the course and scope of the employee's regular employment with The Texas A&M University System.

SECTION 2. The heading to Section 408.0445, Labor Code, is amended to read as follows:

Sec. 408.0445. AVERAGE WEEKLY WAGE FOR MEMBERS OF STATE MILITARY FORCES, ~~[AND]~~ TEXAS TASK FORCE 1, INTRASTATE FIRE MUTUAL AID SYSTEM TEAMS, AND REGIONAL INCIDENT MANAGEMENT TEAMS.

SECTION 3. Section 408.0445, Labor Code, is amended by adding Subsection (c) to read as follows:

(c) For purposes of computing income benefits or death benefits under Section 88.126, Education Code, the average weekly wage of an intrastate fire mutual aid system team member or a regional incident management team member, as defined by Section 88.126, Education Code, who is engaged in authorized training or duty is an amount equal to the sum of the member's regular weekly wage at any employment, including self-employment, that the member holds in addition to serving as a member of an intrastate fire mutual aid system team or a regional incident management team, as applicable, except that the amount may not exceed 100 percent of the state average weekly wage as determined under Section 408.047. A member for whom an average weekly wage cannot be computed shall be paid the minimum weekly benefit established by the division.

SECTION 4. Section 501.001(5), Labor Code, is amended to read as follows:

(5) "Employee" means a person who is:

(A) in the service of the state pursuant to an election, appointment, or express oral or written contract of hire;

(B) paid from state funds but whose duties require that the person work and frequently receive supervision in a political subdivision of the state;

(C) a peace officer employed by a political subdivision, while the peace officer is exercising authority granted under:

(i) Article 2.12, Code of Criminal Procedure; or

(ii) Articles 14.03(d) and (g), Code of Criminal Procedure;

(D) a member of the state military forces, as defined by Section 437.001, Government Code, who is engaged in authorized training or duty; ~~or~~

(E) a Texas Task Force 1 member, as defined by Section 88.301, Education Code, who is activated by the Texas Division of Emergency Management or is injured during training sponsored or sanctioned by Texas Task Force 1; or

(F) an intrastate fire mutual aid system team member or a regional incident management team member, as defined by Section 88.126, Education Code, who is activated by the Texas Division of Emergency Management or is injured during training sponsored or sanctioned by the Texas Division of Emergency Management on behalf of an intrastate fire mutual aid system team or a regional incident management team, as applicable.

SECTION 5. Section 501.002, Labor Code, is amended by adding Subsection (g) to read as follows:

(g) For purposes of this chapter and Section 88.126, Education Code, the Texas A&M Forest Service shall perform all duties of an employer in relation to an intrastate fire

*mutual aid system team member or a regional incident management team member who is injured and receives benefits under this chapter.*

SECTION 6. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before the effective date of this Act is governed by the law in effect on the date the compensable injury occurred, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2017.

Passed by the House on April 28, 2017: Yeas 122, Nays 12, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.

Effective September 1, 2017.

## TIME FOR RETURNING BALLOTS MAILED BY CERTAIN FEDERAL POSTCARD APPLICANTS

### CHAPTER 992

H.B. No. 929

#### AN ACT

**relating to the time for returning ballots mailed by certain federal postcard applicants.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 67.003(b), Election Code, is amended to read as follows:

(b) *Except as provided by Subsection (c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer [For an election held on the uniform election date in May, the local canvass must occur] not later than the 11th day after election day and not earlier than the later of:*

(1) the third day after election day;

(2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or

(3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

SECTION 2. Section 101.057, Election Code, is amended to read as follows:

Sec. 101.057. RETURN OF VOTED BALLOT. (a) A ballot voted under this subchapter may be returned to the early voting clerk by mail, common or contract carrier, or courier.

(b) *A ballot voted by a voter described by Section 101.001(2)(A) or (B) shall be counted if the ballot arrives at the address on the carrier envelope not later than the sixth day after the date of the election, except that if that date falls on a Saturday, Sunday, or legal state or national holiday, then the deadline is extended to the next regular business day.*

SECTION 3. Section 67.003(a), Election Code, is repealed.

SECTION 4. This Act takes effect September 1, 2017.

Passed by the House on May 11, 2017: Yeas 140, Nays 7, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 929 on May 27, 2017: Yeas 133, Nays 6, 2 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 31, Nays 0.

Approved June 15, 2017.